

RECORDS RETENTION SCHEDULE
(Application for Authority to Dispose of State Records)

STATE RECORDS UNIT
ILLINOIS STATE ARCHIVES
SPRINGFIELD, IL 62756
(217)782-2647

AGENCY

Department of Children and Family Services (DCFS)

DIVISION

Office of the DCFS Guardian/Guardianship Administrator

SUBDIVISION

Pursuant to the provisions of the *State Records Act* (5 ILCS 160/1 et seq.), I hereby request authority to dispose of state government records according to the schedule which follows. I certify that those records to be disposed of will not be needed in the transaction of current business nor will they be of sufficient administrative, legal, or fiscal value to warrant further retention by this agency. I also certify that any microfilm or digitized copies will be made in accordance with the standards of the State Records Commission and will be adequate substitutes for the original records.

SIGNATURE OF AGENCY HEAD

DATE

APPROVED BY
THE
STATE RECORDS
COMMISSION

David A. Joens

CHAIRMAN

Ian Hunt

SECRETARY

May 18, 2022

DATE

RECORDS LISTED ON THIS SCHEDULE MAY BE DISPOSED OF PROVIDING:

- the individual retention period is complete;
- all audits have been completed, if necessary and no litigation is pending or anticipated;
- the items are correctly listed on a Records Disposal Certificate submitted to and approved by the State Records Commission 30 days prior to disposal.

Certain records, as stipulated on this schedule, may be microfilmed or digitized and the original hardcopy record disposed of if the record is microfilmed or digitized in accordance with the standards of the State Records Commission Rules and if the film or digitized copy is retained for the prescribed retention period. **Disposal of records after microfilming or digitizing must be noted on a Records Disposal Certificate.**

**THIS SCHEDULE AND ANY RELATED RECORDS DISPOSAL CERTIFICATES
ARE TO BE RETAINED PERMANENTLY.**

RECORDS RETENTION SCHEDULE
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Application No. 22-02

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Item No.	Record Series Title, Description and Retention	Action Taken
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ADMINISTRATIVE UNIT
(100 Series)

100.01 Reports

Dates: 1970-
Volume: 10 Cubic Feet/ 50 Megabytes
Annual Accumulation: 2 Cubic Feet/ 10 Megabytes
Arrangement: Alphabetical by Report Name

This record series consists of the various reports compiled by the Department of Children and Family Services' (DCFS) Office of the Guardian (e.g., annual, quarterly, special, etc.) and supporting documents required pursuant to the provisions of the *Children and Family Services Act* (20 ILCS 505) and other applicable federal/state laws, rules, and regulations.

Copies of annual reports are filed with the General Assembly pursuant to the provisions of the *Administration of Psychotropic Medications to Children Act* (20 ILCS 535/15), in accordance with *Administration of Psychotropic Medications to Children for whom the Department of Children and Family Services is Legally Responsible* (89 Ill. Adm. Code Part 325), and other applicable federal/state laws, rules, and regulations. Copies of annual reports are also filed with the Office of the Secretary of State's Illinois State Library pursuant to the provisions of the *State Library Act* (15 ILCS 320/21) and in accordance with *Illinois State Library, Government Documents Section* (23 Ill. Adm. Code 3020.110) and other applicable federal/state laws, rules, and regulations.

RETENTION: Retain one (1) copy of each report permanently.

[Electronic records must be retained in compliance with 44 Ill. Adm. Code 4400.50, 4400.70 and 4400.80.]

**Disposition
Approved as
Amended
5/18/2022**

RECORDS RETENTION SCHEDULE
(Application for Authority to Dispose of State Records)
(continued)

Item No.	Record Series Title, Description and Retention	Action Taken
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100.02 DCFS Guardian/Guardianship Administrator Decision Files

Dates: 1970-
Volume: 60 Cubic Feet/ Negligible
Annual Accumulation: 4 Cubic Feet/ Negligible
Arrangement: Alphabetical by last name

This record series consists of original decision files generated by the Department of Children and Family Services' (DCFS) Guardian/Guardianship Administrator through the analysis and approval/denial of extraordinary personal and/or medical events of children under the legal guardianship of DCFS pursuant to the provisions of the *Children and Family Services Act* (20 ILCS 505); *Department of Children and Family Services Powers Law* (20 ILCS 510); *Administration of Psychotropic Medications to Children Act* (20 ILCS 535); *Juvenile Court Act of 1987* (705 ILCS 405); *Abused and Neglected Child Reporting Act* (ANCRA) (325 ILCS 5); *Adoption Act* (750 ILCS 50); the Department's administrative rules (89 Ill. Adm. Code Parts 325, 327 and 431); and any other applicable federal/state laws, rules, and regulations.

Contents of this record series may include, but are not limited to: physician/psychiatrist notes, opinions, and recommendations; notes from caseworkers; medically complex case files; consents related to transplants, hormone therapy, and experimental medical treatment; end of life care/do-not-resuscitate (DNR) orders; participation in research/statistical studies or projects; marriage; enlistment in the armed forces; contested adoptions; supporting documentation; and any related correspondence.

This item, together with items 200.01, 200.02, and 300.01 of this Records Retention Schedule, supersedes State Records Retention Schedule/Application No. 70-15, item 1 in its entirety in order to: create separate record series titles, descriptions, and retention narratives for DCFS Guardian/Guardianship Administrator Decision Files, Ordinary and Routine Consent Files (Originals), Major Medical and Miscellaneous Consent Files, and Legal Files; and increase the retention period from "two (2) years after closing then ship to Records Center...an additional three (3) years" to "five (5) years after date of decision, then transfer to the State Records Center for fifteen (15) years"; per agency request.

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Item No.	Record Series Title, Description and Retention	Action Taken
RETENTION:	<p>Retain <i>analog/paper records</i> in the Office of the DCFS Guardian/Guardianship Administrator five (5) years after closure date of the file, then transfer to the State Records Center for an additional fifteen (15) years; and then destroy in a secure manner provided all audits have been completed, if necessary, and no litigation is pending or anticipated.</p> <p>Retain <i>electronic records</i> (e.g., scanned, born-digital, or other electronic format) twenty (20) years after closure date of the file, then delete/over-write in a secure manner pursuant to the provisions of 44 Ill. Adm. Code 4400.40 provided all audits have been completed, if necessary; no litigation is pending or anticipated; and upon receipt of an approved State of Illinois Records Disposal Certificate.</p> <p><u>[Electronic records must be retained in compliance with 44 Ill. Adm. Code 4400.50, 4400.70 and 4400.80.]</u></p>	Disposition Approved as Amended 5/18/2022

RECORDS RETENTION SCHEDULE
(Application for Authority to Dispose of State Records)
(continued)

Item No.	Record Series Title, Description and Retention	Action Taken
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CONSENT UNIT
(200 Series)

200.01 Ordinary and Routine Consent Files (Originals)

Dates: 1970-
Volume: 240 Cubic Feet/ 90 Gigabytes
Annual Accumulation: Negligible/30 Gigabytes
Arrangement: Chronological by fiscal year

This record series consists of Ordinary and Routine consent files maintained by the Department of Children and Family Services' (DCFS) Office of the DCFS Guardian/Guardianship Administrator for approval of activities and routine medical care for children under the legal guardianship of the DCFS Guardian/Guardianship Administrator pursuant to the provisions of the *Children and Family Services Act* (20 ILCS 505); *Department of Children and Family Services Powers Law* (20 ILCS 510); *Juvenile Court Act of 1987* (705 ILCS 405); *Abused and Neglected Child Reporting Act* (ANCRA) (325 ILCS 5); *Adoption Act* (750 ILCS 50); the Department's administrative rules (89 Ill. Adm. Code Parts 325, 327 and 431); and any other applicable federal/state laws, rules, and regulations. Ordinary and Routine consents are valid for one year after which time new consents must be submitted for approval.

Contents of this record series may include, but are not limited to: consents related to medical/dental appointments, mental health services (therapy, counseling, etc.), extended travel beyond thirty (30) days, international travel, release of information, media requests, supporting documentation, and any related correspondence.

This item, together with items 100.02, 200.02, and 300.01 of this Records Retention Schedule, supersedes State Records Retention Schedule/Application No. 70-15, item 1 in its entirety in order to: create separate record series titles, descriptions, and retention narratives for DCFS Guardian/Guardianship Administrator Decision Files, Ordinary and Routine Consent Files (Originals), Major Medical and Miscellaneous Consent Files, and Legal Files; eliminate future storage at the State Records Center; and reduce the retention period from "two (2) years after closing then ship to Records Center...an additional three (3) years" to "two (2) years after issuance of consent"; per agency request.

RECORDS RETENTION SCHEDULE
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(continued)

Item No.	Record Series Title, Description and Retention	Action Taken
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RETENTION:	Retain two (2) years after issuance of consent date, then destroy or delete/over-write in a secure manner pursuant to the provisions of 44 Ill. Adm. Code 4400.40 provided all audits have been completed, if necessary; no litigation is pending or anticipated; and upon receipt of an approved State of Illinois Records Disposal Certificate.	Disposition Approved as Amended 5/18/2022
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200.02 Major Medical and Miscellaneous Consent Files

Dates:	1970-
Volume:	600 Cubic Feet/ 1.5 Terabytes
Annual Accumulation:	150 Cubic Feet/ 500 Gigabytes
Arrangement:	Chronological by fiscal year; then alphabetical by name

This record series consists of major medical and miscellaneous consent files maintained by the Department of Children and Family Services' (DCFS) Office of the DCFS Guardian/Guardianship Administrator for the approval of emergent and surgical care and other special consents for children under the legal guardianship of the DCFS Guardian/Guardianship Administrator pursuant to the provisions of the *Children and Family Services Act* (20 ILCS 505); *Department of Children and Family Services Powers Law* (20 ILCS 510); *Juvenile Court Act of 1987* (705 ILCS 405); *Abused and Neglected Child Reporting Act* (ANCRA) (325 ILCS 5); *Adoption Act* (750 ILCS 50); the Department's administrative rules (89 Ill. Adm. Code Parts 325, 327 and 431); and any other applicable federal/state laws, rules, and regulations.

Contents of this record series may include, but are not limited to: consents related to major medical procedures/surgery, emergency room visits and care, psychiatric hospitalization, psychotropic medication; credit checks for youth in care; supporting documentation, and any related correspondence.

This item, together with items 100.02, 200.01, and 300.01 of this Records Retention Schedule, supersedes State Records Retention Schedule/Application No. 70-15, item 1 in its entirety in order to: create separate record series titles, descriptions, and retention narratives for DCFS Guardian/Guardianship Administrator Decision Files, Ordinary and Routine Consent Files (Originals), Major Medical and Miscellaneous Consent Files, and Legal Files; and standardize the retention period at "one (1) year after date of generation, then transfer to the State Records Center for an additional four (4) years"; per agency request. (No change to the overall length of the retention).

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Item No.	Record Series Title, Description and Retention	Action Taken
RETENTION:	<p>Retain <i>analog/paper records</i> in the Office of the DCFS Guardian/Guardianship Administrator one (1) year after date of generation, then transfer to the State Records Center for an additional four (4) years; and then destroy in a secure manner provided all audits have been completed, if necessary, and no litigation is pending or anticipated.</p> <p>Retain <i>electronic records</i> (e.g., scanned, born-digital, or other electronic format) five (5) years after date of generation, then delete/over-write in a secure manner pursuant to the provisions of 44 Ill. Adm. Code 4400.40 provided all audits have been completed, if necessary; no litigation is pending or anticipated; and upon receipt of an approved State of Illinois Records Disposal Certificate.</p>	Disposition Approved as Amended 5/18/2022

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Item No.	Record Series Title, Description and Retention	Action Taken
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LEGAL UNIT
(300 Series)

300.01 Legal Case Files

Dates: 1970-
Volume: 1,800 Cubic Feet/ 38 Gigabytes
Annual Accumulation: 100 Cubic Feet/ 2 Gigabytes
Arrangement: Alphabetical by name

This record series consists of legal case files created by the Department of Children and Family Services' (DCFS) Office of the DCFS Guardian/Guardianship Administrator in anticipation of, or as a result of, litigation involving youth under the custody and/or guardianship of DCFS. Contents of this record series may include, but are not limited to, the following:

- 1) All analog/physical records; electronic records; audio/visual recordings; and any other materials supplied to the DCFS Guardian's/Guardianship Administrator's attorney or counsel;
- 2) Pleadings and other documentation filed with or by the court or in an administrative hearing;
- 3) Investigation and discovery documents;
- 4) Records from other legal matters;
- 5) Copies of memoranda, invoices, attorney reports, attorney/client communications, hand-written notes, other forms of communication, research, recommendations, and advice;
- 6) Supporting documentation; and,
- 7) Related correspondence.

NOTE: The documents contained in this record series serve as the agency's record copy; however, with the exception of the correspondence and supporting documents used for reference purposes and not submitted as evidence, these documents are retained with the appropriate court or commission.

This item, together with items 100.02, 200.01, and 200.02 of this Records Retention Schedule, supersedes State Records Retention Schedule/Application No. 70-15, item 1 in its entirety in order to: create separate record series titles, descriptions, and retention narratives for DCFS Guardian/Guardianship Administrator Decision Files, Ordinary and Routine Consent Files (Originals), Major Medical and Miscellaneous Consent Files, and Legal Files; and increase the retention period from "two (2) years after closing then ship to Records Center...an additional three (3) years" to "two (2) years after the closure of the case file, then transfer to the State Records Center for eighteen (18) years"; per agency request.

RECORDS RETENTION SCHEDULE
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(continued)

Item No.	Record Series Title, Description and Retention	Action Taken
RETENTION:	<p>Retain <i>analog/paper records</i> in office two (2) years after closure date of the case file, then transfer to the State Records Center for an additional eighteen (18) years; then destroy in a secure manner provided all audits have been completed, if necessary, and no litigation is pending or anticipated.</p> <p>Retain <i>electronic records</i> (e.g., scanned, born-digital, or other electronic format) twenty (20) years after closure date of the case file, then destroy or delete/over-write in a secure manner pursuant to the provisions of 44 Ill. Adm. Code 4400.40 provided all audits have been completed, if necessary; no litigation is pending or anticipated; and upon receipt of an approved State of Illinois Records Disposal Certificate.</p> <p>[<i>Electronic records</i> must be retained in compliance with 44 Ill. Adm. Code 4400.50, 4400.70 and 4400.80.]</p>	Disposition Approved as Amended 5/18/2022